

---

# *Schöffling & Co.*

## **foreign rights**

author Juli Zeh  
title Corpus Delicti. A Trial  
original title Corpus Delicti. Ein Prozess  
© 2009 by Schöffling & Co.

## **English sample translation**

translated by Ross Benjamin  
copyright for the translation Ross Benjamin

contact Kathrin Scheel  
email kathrin.scheel@schoeffling.de  
phone +49 69 92 07 87 16  
fax +49 69 92 07 87 20  
mail Schöffling & Co.  
Verlagsbuchhandlung GmbH  
Foreign Rights  
Kaiserstraße 79  
60329 Frankfurt am Main  
Germany  
www www.schoeffling.de

(pp 23-32)

### *Genetic Fingerprint*

The incident related here took place not long ago. A glance at the facts reveals an astoundingly simple event. On an ordinary Saturday night, Moritz Holl, 27 years old, a man at once gentle and obstinate, whom his parents called a “dreamer,” his friends called a “freethinker,” and his sister Mia more often than not called a “nutcase,” reported a terrible discovery to the police. A young woman named Sibylle, with whom he’d made a blind date at the South Bridge after exchanging some information, was upon his arrival neither likable nor unlikable, but dead. They took down the testimony of the utterly distraught Moritz and sent him home. Two days later he was in custody awaiting trial. His semen had been found in the body of the raped woman.

The DNA test concluded the preliminary inquiry. Every normal person knows that the genetic fingerprint is distinctive. Not even twins possess the same hereditary material, and Moritz had only an ordinary sister, who as a scientist herself knew better than anyone what genetic distinctiveness meant. A conviction on the basis of such evidence is juridical routine. In such cases murderers make a confession. They do it sooner or later, but they confess without fail. Perhaps it eases their conscience; perhaps in this way they beg public opinion for absolution. But Moritz ignored the facts. He insisted that he had neither raped nor killed Sibylle. As the audience sat before the afternoon program and awaited a quick trial, Moritz protested his innocence with wide-open, blue eyes, his pale face hardened by his sense of conviction. At every opportunity he repeated a sentence that got into one’s head like a pop refrain: “You’re sacrificing me on the altar of your blindness.”

No murderer in recent legal history had ever behaved like this. The citizens of a well-functioning state are accustomed to public and personal welfare being brought into line, even and especially in the darkest corners of human existence. Moritz’s appearances before the court prompted a press scandal. Voices were raised that

sympathized with his consistency and demanded a suspension of the execution of the judgment. Others began to abhor him all the more, not only for the bloody deed, but above all for his lack of remorse.

In the midst of the general chatter stood Mia, whose relation to Moritz had suddenly become a dark secret that the legal authorities had to guard. During the day she went to work and fulfilled her physical-fitness duties; in the evening she went secretly to the prison. At night, instead of sleeping she vomited into a bowl, which she then emptied into a drain on the street so that the sensors in the toilet couldn't gauge an elevated concentration of gastric acid in the sewage. Naturally, Kramer's reporting constituted an important, if not the most important, part of the media discourse. He said and wrote nothing other than what a learned jurist, sober positivist and convinced defender of the Method had to say and write – and what he now, busy in the kitchen, repeats for Mia.

### *No Extravagant Ideologies*

“Our society has reached the goal,” says Kramer, as he fills the water boiler. “In contrast to all systems of the past we obey neither the market nor a religion. We don't need any extravagant ideologies. We don't even need the sanctimonious faith in popular rule to legitimize our system. We obey reason alone, by appealing to a fact that results directly from the existence of biological life. For there is one feature that belongs to every living thing. It characterizes every animal and every plant and especially the human being. That is why we elevate it to the basis of the great consensus on which our society rests. It is the unconditional, individual and collective will to survive. We've developed a Method that aims to guarantee each individual as long, trouble-free, and therefore healthy and happy a life as possible. Free of pain and suffering. To this end we've organized our state in a highly complex fashion, more complex than any previous state. Our laws function in delicate fine-tuning, comparable to the nervous system of an organism. Our system is perfect, wondrously viable and strong as a body – though just as fragile. A simple violation of one of the basic rules can severely injure or even kill this organism. Lemon?”

Mia accepts a dash of lemon, and the hot water that Kramer gives her does her good. He sits down across from her in the armchair and blows in his cup.

“Do you know what I’m trying to say?”

“That it’s not rationally possible to cast doubt on the credibility of a DNA test,” Mia replies softly.

Kramer nods.

“The DNA test is infallible. Infallibility is a foundation pillar of the Method. How could we explain the existence of a rule to the people in this country if the rule were not rational and valid in all cases – in other words, infallible? Infallibility demands consistency, to which the healthy human intellect obliges us.”

“Mia,” says the ideal beloved, “the man speaks in formulas. The man is a machine!”

“Perhaps.”

“Healthy human intellect,” cries the ideal beloved, “is when someone wants to be right and can’t give a reason why!”

“Wait a moment.”

“I beg your pardon?” asks Kramer.

“What,” asks Mia, turning to him, “does infallibility mean in the face of the human.”

“I know what you’re driving at.”

“How can the rules, measures, procedures be infallible if all this is always only devised by human beings? By human beings who every few decades replace their convictions, their scientific views, their whole truth? Have you never asked yourself whether my brother could be innocent despite everything?”

“No,” says Kramer.

“Why not?” asks the ideal beloved.

“Why not?” asks Mia.

“Where are these questions leading?” Kramer puts down his cup and leans forward. “To case-by-case decisions? To an arbitrary rule of the heart, like the tyranny exercised by a king, who can be merciful and severe at his discretion? Whose heart should decide? Mine? Yours? What law would stand behind it? The power of a supernatural justice? Do you believe in God, Miss Holl?”

“I don’t believe in him, and he doesn’t believe in me. The feeling is mutual.”

“And to what does Mr. Kramer want to appeal?” asks the ideal beloved. “A rational objectivity in which he himself doesn’t believe? And which doesn’t believe in him?”

“Well,” says Mia. “Emotion is certainly a bad adviser. By definition it possesses no universal validity.”

“And the intellect is an illusion,” the ideal beloved retorts. “Nothing more than a costume in which the human being sticks the sum of his feelings.”

“You speak in romantic anachronisms,” cries Mia.

“And you in the very intellectual sophistries that destroyed Moritz!”

“Miss Holl!” Kramer waves with a shapely hand as though dispelling wisps of fog. “Stop talking to yourself. You’ve lost a person. But not your conviction.”

“A conviction that Moritz disdained all his life,” says the ideal beloved.

Mia casts a warning glance at her and stands up to go to the window. It’s a beautiful day, a day out of an advertisement for high-protein fitness products. Only with effort does Mia resist the urge to close the curtains. The sun reveals half-empty food cartons from the delivery service, discarded articles of clothing and dust bunnies in all corners. It smells like the twentieth century. With each minute the bright light seems to increase the disorder in the room.

“I’m standing at a crossroads,” says Mia. “One path is called suffering, the other ruin. Either I curse a system with a Method to which there is no rational alternative. Or I betray my love for my brother, in whose innocence I believe just as firmly as in my own existence. Do you understand?” With a fierce motion she turned around. “I know he didn’t do it. What should I do now? How should I decide? For the collapse or the fall? Hell or purgatory?”

“Neither, nor,” says Kramer. “There are situations in which neither the one nor the other possibility but the decision itself would be the mistake.”

“Does that mean...you, you of all people acknowledge holes in the system?”

“Naturally.” Now his smile is disarming. From the armchair he looks up at her. “The system is human, as you yourself have just asserted. Naturally it exhibits holes. The human is a pitch-black room in which we crawl around, blind and deaf as

newborns. We can do no more than ensure that while crawling we hit our heads as seldom as possible. That's all."

"Hit our heads? My head is already smashed."

"I see that differently, and indeed with my own eyes." Kramer extends his arm and points directly at the middle of Mia's forehead. "It's necessary to lift oneself above all this. Mourn your brother, Mia. Mourn to the best of your abilities. And at the same time return to normality. You have come to the attention of the authorities due to certain neglected duties."

"There are situations in which..." begins Mia, but Kramer waves it aside.

"Spare yourself the justifications, that's not necessary. You'll be invited to a clarifying conversation, nothing more. Accept the offer. Tidy up. At least clean the outward signs of hopelessness out of your life. It's still your life. Take it in hand."

"I intend to do nothing else," Mia says softly.

"I'm very pleased to hear it." Kramer jumps out of the armchair with a zest as if he wanted personally to get to work tidying up. Mia looks at him suspiciously.

"And you've brought along a broom? To sweep up the hopelessness?"

Kramer immediately corrects his posture and sticks his hands in his pant pockets.

"Which brings me to an interesting question," says Mia. "You are a very busy man. It's hard for me to believe you lack competent conversation partners. Are you planning to adopt me?"

"In other words," says the ideal beloved, "what the hell do you want here?"

"I'm here to make you a proposal."

Kramer begins to stroll through the room and does not refrain from reading the deficiency display on Mia's exercise bike.

"Everything we've just discussed not only concerns you, but also the whole country. It won't be long before the first doctoral theses on your brother's case appear – in the field of law, sociology, psychology, political science. The case of Moritz Holl will rise to the position of a true queen of footnotes. It's about fundamental questions of our coexistence. About fundamental questions of the Method, which must always be posed and addressed anew."

Mia follows his path with an astonished gaze.

“Posed? Addressed? Do you want me for a – critical interview?”

“For a nuanced conversation. I’d like to profile you, Mia. For the *Healthy Human Intellect*. For a long time now journalism has not been a traveling circus that moves on when the spectacle is over.”

“I’m about to laugh out loud,” says the ideal beloved. “Even though I can’t.”

“We could show what tragedies and contradictions lie behind even an orderly system like the Method. And why it’s necessary nonetheless to devote oneself again and again to the path of reason. A good citizen is not one who follows the herd like a sheep. A good citizen suffers through crises and doubts so as to stand more firmly by the common cause. You can show people that, Mia Holl. Think about it. It would not be to your detriment.”

“If you do it,” says the ideal beloved, “I’ll leave you.”

“You can’t,” says Mia. “Moritz gave you to me.”

Kramer pauses.

“You can almost frighten a man, Miss Holl.”

### *Through Plexiglas*

“I wish we had at least managed that,” says Mia.

When we look through the fabric of time as if it were a half-transparent robe on the body of the eternal, we see Mia and Moritz, no more than four weeks ago, in a bare room of the prison for people awaiting trial. They scrutinize each other as though seeing each other for the first time.

“Managed what?” asks Moritz.

“To find you a woman.”

They’re separated by a Plexiglas pane, which is adorned in the center by a star of little holes. Through these holes they can hear and – when they move their faces close to the pane, so close that an admonition from the security guard immediately follows – even smell each other.

“That doesn’t matter,” says the now departed Moritz. “I invented one for myself.”

“One what?”

“An ideal beloved. She’s a bit moody, but on the whole we get along well. I’m not lonely.”

When Moritz moves, the white paper suit that has replaced his clothing for six months rustles. He puts two fingers on the pane; Mia touches the spot from her side.

This much they’re able to get away with, ever since Mia brought along caffeine powder in little plastic bags from the laboratory to give pleasure to the security guard. Mia and Moritz smile at each other. They’ve learned to smile when they actually want to scream, smash something or simply weep.

“You know what,” says Moritz. “I’ll lend her to you. Take her with you.”

“I’m supposed to take your imaginary beloved?”

“I’d be glad. Then it would be easier to believe that we’ll see each other again soon. The ideal beloved will lead you back to me. I can’t imagine that she can stand it with you for too long.”

“I lack the imagination for these little games.”

Moritz wrinkles his forehead, as is his wont. His whole face seems to want to heap up around one point between his eyes.

“You have more than enough of it,” he says. “All our lives we’ve met in the realm of fantasy.”

“That was your realm.”

“It was our realm. It is our realm. It will always be our shared home. Don’t forget that.”

They stare at each other for a while like enemies, cowboys on a country road whose hair is swept in one direction by the wind. A short battle. Mia feels herself yield. Actually, from the beginning she has not been resisting with all her strength.

“Okay,” she says. “I’ll take your female figment with me, damn it.”

His forehead smooths out effortlessly; the mind behind it is accustomed to getting its way.

“She’ll be waiting for you in your apartment,” he whispers. “You’ll learn to appreciate this gift. And now...now I ask for the return favor.”

Between Mia’s fingers is a transparent cord that she threads through one of the holes. With little movements of thumb and forefinger Moritz draws the cord to himself. That takes awhile. The guard contemplates his fingernails and yawns. When the cord is on the other side, Mia and Moritz stand up.

“Life,” Moritz says softly, “is an offer that one can also refuse.”

*(pp 37-44)*

### *Juicer*

Sophie’s student braid bobs gaily up and down as she nods to herself, skimming over the medical report. She’s in a good mood for no particular reason. Good moods are a habit of Sophie’s, just as nervous people chew on their nails. Sophie studied law because she loved the legal system, and from this arose a career in which she could do something sensible. People thank her for it. With a few exceptions. She has a distinct sense that Mia Holl is not one of these exceptions. She took a liking to the bright eyes and intelligent face of the accused the moment she entered the room. Perhaps Mia’s nose is a little too big. Overly large noses testify to a stubborn character, but that’s completely balanced by the soft mouth, which asks for peace while remaining persistently mute. Sophie prides herself on her knowledge of human nature.

“Excellent,” she says, closes the inquiry report and pushes it aside. “Quite excellent.”

Sophie is touched by the way the accused sucks her lower lip between her teeth. Mia is a few years older than she herself and nonetheless sits there like a helpless child.

“Great to see you, Miss Holl. Less great that I had to subpoena you. You should have come voluntarily to the clarifying conversation. Now it’s a hearing and I have to advise you of your rights. According to Paragraph 50 of the health code of procedure you have the right to remain silent. But I proceed from the firm assumption that we will have a conversation. Isn’t that so?”

Sophie too can give a look like a child and indeed like one who wants to placate. Before this look, accused parties can do nothing but nod. The same goes for Mia.

“Good,” smiles Sophie. “Then why don’t you tell me, Miss Holl: What do you associate with the term health?”

“The human being,” Mia says to her fingertips, “is constructed in an astoundingly impractical manner. In contrast to the human being, every juicer can be opened up and broken down into its component parts. Can be cleaned, repaired and reassembled.”

“Then you understand why the public provisions do not attend to juicers but to human beings?”

“Yes, your Honor.”

“How does it happen, then, that you’ve been evading all mandatory controls for weeks?”

“I’m sorry,” says Mia. “In a way.”

“In a way?” Sophie leans back and adjusts her ponytail. “Miss Holl, you won’t remember me, but I know you. I was the judge-rapporteur in the trial against...I mean, of Moritz Holl. The details of the matter are familiar to me. I know what you’re going through.”

For a while Mia stares into the judge’s eyes; then she lowers her gaze.

“What happened can’t be undone,” says Sophie. “But the health code offers a number of possibilities to help you. I can assign you a personal physician. A stay somewhere to take a cure would also be conceivable. We can pick out a beautiful place in the mountains or by the sea. We will support you in coping with your situation. Then, during the reintegration into your career and everyday life, you will...”

“No, thank you,” says Mia.

“What’s that supposed to mean – no, thank you?”

Mia is silent. The judge was mistaken when she believed the accused would not remember her. Mia’s memory shows Sophie as one of many puppets dressed in black in the scenery of a ghost train, sitting all the way back in the lee of the jury court, half-concealed by the presiding judge, the assessors and the court reporters. Pretty, young, blond-braided, and for that very reason a perfect vision of horror as she looks down with wide eyes and concerned expression at the defendant, who has lost his former height and cowers shrunken before the black puppets. The blonde is a good one, Moritz said. She doesn’t mean any harm. Probably none of them mean any harm. How would you rule, even you, if you were sitting up there and I were not your brother?

“Miss Holl,” says Sophie, wrinkling her cute nose. “You are physically in full health. But your soul is suffering. Are we in agreement in this respect?”

“Yes.”

“Then why do you refuse help?”

“I considered my pain a private matter.”

“Private matter?” Sophie asks in astonishment.

“Listen.”

Suddenly Mia grabs the judge’s hand, which constitutes a rule breach. Sophie starts and looks around before she reluctantly cedes her fingers to the accused.

“No one,” says Mia, “can comprehend what I’m going through. Not even I myself. If I were a dog – I would bark at myself to keep myself from coming closer.”

*Not Meant to be Understood*

Mia's voice has grown soft, because she knows that sentences like the one about the barking dog are not meant to be understood. What she actually wants to express can scarcely be put into words, and in light of the presence of a judge it's better that she stop trying. If we wanted to attempt it in Mia's place, we'd have to imagine how at night she kicks the blanket off her body and gets up. Outside, the first morning light waters down the deep pitch-black of the sky. It's the moment at which yesterday turns to tomorrow and for a short time there's no today. The moment that all insomniacs fear. Mia is stuck in her own skin as in a fishing net. In her face too it has become too cramped for her; with her fingertips she feels an expression that she doesn't recognize, an ugly half-grin, only one corner of the mouth drawn upward – it doesn't belong to her.

As she leaves the bedroom, her shoulder gets caught briefly on the doorframe. We see her walk down the hallway and enter the living room, turn on the music player with the remote control and raise the volume. We don't hear her scream, only see the open mouth and how Mia stumbles so we think she's going to fall. Instead she walks to the window, lets her raised hands fall with force against the pane, bounces back and makes another attempt, beats both palms against the glass. The music is so loud that we don't even hear the shattering of the window. Impelled by her own momentum, Mia's arms go through the breaking pane; she reaches into emptiness, tips forward and catches herself before her chest touches the protruding jagged glass still stuck in the frame. She grasps into the slivers and balls her fists with her eyes shut; we see her lips trembling and how she turns her gaze upward under shut lids. We see her knuckles turn white and the blood seep out between her fingers, as though she were squashing something white, red in her fists. Then she opens her hands, shakes both arms, a few glass slivers fall to the floor. The blood runs down to her elbows as she raises her joined hands. "Take it from me," we read from her lips, "just take it from me!" and she groans as if it were a massive burden of which we should relieve her.

Again and again she raises her hands imploringly, and for one terrifying moment we could actually believe she is speaking to us.

And if we now imagine that Mia on this and all similar nights does not struggle free of the blanket, does not get up and go to the window, does not smash the glass, but simply stays in bed, sleepless in the position of a someone sleeping – then we know vaguely what she’s going through.

### *Private Matter*

“Miss Holl,” says Sophie, and rubs her eyes with the backs of her hands, “I have to ask you to explain to me what you mean by private matter.”

Mia jumps up and roams through the room as if searching for windows that aren’t there.

“I only want peace,” she finally says.

“Please, sit down.”

“I’m not a schoolgirl. There are things that require time. I ask you for nothing else. For peace and time.”

“And I ask you not to force me to call a public prosecutor,” Sophie says sharply. “Sit down.”

When Mia obeys, the severity is immediately gone again from the judge’s features. Only for a moment, brief as a mistake, could an angry face be seen.

“Now pay close attention,” says Sophie. “What would happen if you got sick?”

“A doctor would attend to me.”

“And who would pay for that?”

“I...could pay for it myself.”

“And if you were destitute? Should the community let you perish?”

Mia is silent.

“If we think rationally,” says Sophie, “the community owes you care when you’re in dire straits. But then you owe the community the effort to avoid these dire straits. Is that understandable?”

“I could bear the sickness,” Mia says stubbornly.

“Miss Holl,” cries Sophie, “do you know what you’re talking about? Have you ever felt physical pains capable of driving you out of your mind? Do you know what people went through in earlier times? Life meant watching oneself die slowly. Every step into the world could be a step into ruin, every ache in the chest or tingle in the arm the beginning of the end. The fear of dying of oneself was the human being’s constant companion. The essence of these people was fear. Isn’t it a great stroke of luck to have overcome this condition?”

Mia is silent.

“You agree with me, Miss Holl, I can tell by looking at you. It is in your interest to avoid any form of sickness. In this respect your interests coincide with those of the Method, and on this concordance rests our entire system. There exists a close connection between personal and general welfare, which in such cases leaves no room for private matters.”

“I know that,” Mia says softly.

“Then you don’t wish to call into question the principles of the Method?”

“I’m a scientist, your Honor. No one knows better than I that every biological life aims to attain well-being and avoid pain. Only a system that serves these goals is legitimate.” Mia wipes her palms on her pants. “I ask you sincerely not to confuse my condition with grousing. I’m not quite with it. Perhaps I’m talking in a muddled way. But I’m no Anti-Methodist.”

Sophie shows her conciliatory expression again.

“I’ve misjudged you. Your request, please.”

“I want my peace.”

“Are you completely certain?”

“Yes.”

With a sigh Sophie opens a file and reaches for a pencil. “I can refrain from providing you with an aid measure.”

“That would be the greatest help to me.”

“Only under one condition,” Sophie looks up, the pencil at the ready. “You do nothing wrong from now on.”

“I’ll try.”

“No, Miss Holl. Not just try. This here is an official warning. Final and binding.”

Mia raises first one eyebrow, then two fingers as if to take an oath.

“I’ll manage,” she says.

**Juli Zeh**, born in 1974, lives in Brandenburg. She studied European and International Law and at the German Literature Institute in Leipzig and has worked at the UN in New York and in Krakow. Juli Zeh has - among others - won the *Caroline Schlegel Award*, *German Book Award*, *Bremen Literature Award*, *Rauris Literature Award*, *Hölderlin Award for Emerging Talent*, *Ernst Toller Award*, *Carl Amery Award*, as well as the international *Per Olov Enquist Award* and the French *Prix Cévennes* for Best European Novel.

**Ross Benjamin** is a writer and a translator of German literature living in Brooklyn. His work has appeared in *The New York Times*, *The Times Literary Supplement*, *Bookforum*, *The Nation*, and other publications. His translations of Friedrich Hölderlin’s *Hyperion* (Archipelago Books) and Kevin Vennemann’s *Close to Jednew* (Melville House) were published in 2008. He was a 2003–2004 *Fulbright Scholar* in Berlin.

For further information on international rights for this title please contact Kathrin Scheel at [kathrin.scheel@schoeffling.de](mailto:kathrin.scheel@schoeffling.de)

This excerpt is presented for informational purposes only – any use or copying for commercial purposes is strictly prohibited.